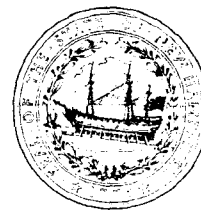




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

February 8, 2005

**LETTER OF DEFICIENCY #WSEB 05-017**

Certified Mail #7099 3400 0003 0689 4525

Steve Padfield  
Kendra Lees LLC  
310 Ledgewood Rd  
Manchester NH 03104

Subject: PWS Auburn - Public Water System: Myles Travel Plaza (EPA #0138040)

Dear Mr. Padfield:

The records of the NH Department of Environmental Services (DES) show that Myles Travel Plaza water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit chemical samples according to the system's established sampling schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rule Env-Ws 326. Pursuant to Env-Ws 351, the failure to submit a chemical sample requires that public notice of such failure be given to all consumers.

DES records show that the subject water system failed to submit the following chemical sample result for the following monitoring period (calendar quarter).

**Quarter 3 2004 – Nitrate**

As a result of the failure to submit the above-described sample, a Notice of Violation (NOV), dated **November 23, 2004**, was sent to you (copy enclosed). The NOV requested that you immediately submit the above-described sample as a make-up sample. To date, DES has not received the make-up sample result, thus placing the water system in violation of Env-Ws 326. DES believes the monitoring/reporting deficiencies can be addressed by taking the following actions:

1. **By February 28, 2005**, submit the Nitrate sample as a "make-up sample" to the State laboratory or a State-certified laboratory. Please use the enclosed analysis result form when submitting the sample to your laboratory.
2. **By February 28, 2005**, provide proof of public notice to DES for the failure to submit a Quarter 3 2004 Nitrate sample, as specified on the enclosed form.

In the event compliance is not achieved within this period, DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

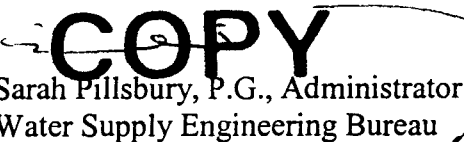
**Please note that submission of the 2004 nitrate "make-up sample" does NOT relieve you of your obligation to submit a 2005 nitrate sample during the Third Quarter (July to September).**

The proof of public notice as requested above should be addressed as follows or faxed to (603) 271-5171:

Kelley Kugel  
Department of Environmental Services  
Water Supply Engineering Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

If you have any questions regarding this letter, please contact Kelley Kugel at (603) 271-6703 or by email at [kkugel@des.state.nh.us](mailto:kkugel@des.state.nh.us).

Sincerely,

  
**COPY**  
Sarah Pillsbury, P.G., Administrator  
Water Supply Engineering Bureau

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Encls: Notice of Violation, dated November 23, 2004  
Analysis Request Form  
Public Notice Form

cc: Gretchen Hamel, DES Legal Unit (w/o encl.)  
Elizabeth Smiley, Auburn Health Officer (w/o encl.)  
Mark Widdison, Sampling Agent  
EPA, Region 1 (w/o encl.)  
File